

AMENDED IN ASSEMBLY MARCH 28, 2016

AMENDED IN ASSEMBLY MARCH 8, 2016

CALIFORNIA LEGISLATURE—2015–16 REGULAR SESSION

## ASSEMBLY BILL

**No. 1872**

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**Introduced by Assembly Member Gray**

February 10, 2016

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An act to amend Section 830.1 of the Penal Code, relating to public safety, and making an appropriation therefor.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1872, as amended, Gray. ~~Peace officers; deputy sheriffs.~~ *Public safety.*

Existing law establishes categories of peace officers with varying powers and authority to make arrests and carry firearms. Under existing law, in certain counties, a deputy sheriff, who is employed to perform duties exclusively or initially relating to custodial assignments with responsibilities for maintaining the operations of county custodial facilities, is a peace officer whose authority extends to any place in the state only while engaged in the performance of the duties of his or her employment and for the purpose of carrying out the primary function of employment relating to his or her custodial assignments, or when performing other law enforcement duties directed by his or her employing agency during a local state of emergency.

This bill would include deputy sheriffs in the County of Merced within that definition of peace officers, as specified.

Under existing law, the University of California is established, under the administration of the Regents of the University of California, as one of the segments of public postsecondary education in this state. The

University of California provides instruction to students at campuses in Berkeley, Davis, Irvine, Los Angeles, Merced, Riverside, San Diego, San Francisco, Santa Barbara, and Santa Cruz.

This bill would appropriate \$1,315,000 from the General Fund to the Regents of the University of California, for allocation to the University of California, Merced, for various public safety purposes.

*The bill would additionally appropriate \$4,556,000 to the county in California, with a population of 100,000 or more, with the highest homicide rate per 100,000 residents, for specified public safety purposes. The bill would further appropriate \$4,000,000 to the City of Selma for the construction of a new police department.*

Vote:  $\frac{2}{3}$ . Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 830.1 of the Penal Code is amended to  
2 read:

3 830.1. (a) Any sheriff, undersheriff, or deputy sheriff,  
4 employed in that capacity, of a county, any chief of police of a  
5 city or chief, director, or chief executive officer of a consolidated  
6 municipal public safety agency that performs police functions, any  
7 police officer, employed in that capacity and appointed by the  
8 chief of police or chief, director, or chief executive of a public  
9 safety agency, of a city, any chief of police, or police officer of a  
10 district, including police officers of the San Diego Unified Port  
11 District Harbor Police, authorized by statute to maintain a police  
12 department, any marshal or deputy marshal of a superior court or  
13 county, any port warden or port police officer of the Harbor  
14 Department of the City of Los Angeles, or any inspector or  
15 investigator employed in that capacity in the office of a district  
16 attorney, is a peace officer. The authority of these peace officers  
17 extends to any place in the state, as follows:

18 (1) As to any public offense committed or which there is  
19 probable cause to believe has been committed within the political  
20 subdivision that employs the peace officer or in which the peace  
21 officer serves.

22 (2) Where the peace officer has the prior consent of the chief  
23 of police or chief, director, or chief executive officer of a  
24 consolidated municipal public safety agency, or person authorized

1 by him or her to give consent, if the place is within a city, or of  
2 the sheriff, or person authorized by him or her to give consent, if  
3 the place is within a county.

4 (3) As to any public offense committed or which there is  
5 probable cause to believe has been committed in the peace officer's  
6 presence, and with respect to which there is immediate danger to  
7 person or property, or of the escape of the perpetrator of the  
8 offense.

9 (b) The Attorney General and special agents and investigators  
10 of the Department of Justice are peace officers, and those assistant  
11 chiefs, deputy chiefs, chiefs, deputy directors, and division directors  
12 designated as peace officers by the Attorney General are peace  
13 officers. The authority of these peace officers extends to any place  
14 in the state where a public offense has been committed or where  
15 there is probable cause to believe one has been committed.

16 (c) Any deputy sheriff of the County of Los Angeles, and any  
17 deputy sheriff of the Counties of Butte, Calaveras, Colusa, Glenn,  
18 Humboldt, Imperial, Inyo, Kern, Kings, Lake, Lassen, Mariposa,  
19 Mendocino, Merced, Plumas, Riverside, San Benito, San Diego,  
20 San Luis Obispo, Santa Barbara, Santa Clara, Shasta, Siskiyou,  
21 Solano, Sonoma, Stanislaus, Sutter, Tehama, Trinity, Tulare,  
22 Tuolumne, and Yuba who is employed to perform duties  
23 exclusively or initially relating to custodial assignments with  
24 responsibilities for maintaining the operations of county custodial  
25 facilities, including the custody, care, supervision, security,  
26 movement, and transportation of inmates, is a peace officer whose  
27 authority extends to any place in the state only while engaged in  
28 the performance of the duties of his or her respective employment  
29 and for the purpose of carrying out the primary function of  
30 employment relating to his or her custodial assignments, or when  
31 performing other law enforcement duties directed by his or her  
32 employing agency during a local state of emergency.

33 SEC. 2. The sum of one million three hundred~~and~~ fifteen  
34 thousand dollars (\$1,315,000) is hereby appropriated from the  
35 General Fund to the Regents of the University of California, for  
36 allocation to the University of California, Merced, for all of the  
37 following public safety purposes:

38 (a) Forty thousand dollars (\$40,000) for two mobile traffic  
39 message boards.

1 (b) Three thousand dollars (\$3,000) for two fire area of refuge  
2 consoles.

3 (c) Eighteen thousand dollars (\$18,000) for fire extinguisher  
4 training equipment.

5 (d) Twenty-four thousand dollars (\$24,000) for three fixed  
6 license plate recognition (LPR) camera systems.

7 (e) One hundred forty thousand dollars (\$140,000) for 40  
8 EvacuChairs.

9 (f) Fifty-two thousand dollars (\$52,000) for 40 automated  
10 external defibrillators with training equipment.

11 (g) Four hundred twenty thousand dollars (\$420,000) for a  
12 mobile incident management vehicle and equipment.

13 (h) One hundred fifty thousand dollars (\$150,000) for a mobile  
14 use of force options system.

15 (i) Thirty thousand dollars (\$30,000) for six mobile computers  
16 with service.

17 (j) Forty-two thousand dollars (\$42,000) for six in-car video  
18 systems.

19 (k) Ten thousand dollars (\$10,000) for two vehicle-mounted  
20 LPR camera systems.

21 (l) Fifteen thousand dollars (\$15,000) for one Cellebrite system.

22 (m) Seventy-five thousand dollars (\$75,000) for one crime scene  
23 mapping system.

24 (n) Sixty thousand dollars (\$60,000) for three portable wireless  
25 camera systems.

26 (o) Thirty-six thousand dollars (\$36,000) for 360 crowd control  
27 barriers.

28 (p) Two hundred thousand dollars (\$200,000) for safety  
29 improvement to an energy dissipator on Fairfield Canal.

30 *SEC. 3. (a) The sum of four million five hundred fifty-six*  
31 *thousand dollars (\$4,556,000) is hereby appropriated to the county*  
32 *in California, with a population of 100,000 or more, with the*  
33 *highest homicide rate per 100,000 residents as determined by the*  
34 *California Department of Justice's homicide statistics for 2014,*  
35 *for public safety purposes including, but not limited to, the*  
36 *development of a gang and violence information analysis unit, the*  
37 *establishment of new initiatives and partnerships with*  
38 *community-based organizations, and to provide counselors and*  
39 *programs aimed at pregang and postgang behavior.*

1     ***(b) The county that receives the appropriation pursuant to***  
2     ***subdivision (a) shall collaborate and coordinate with area***  
3     ***jurisdictions and agencies with the goal of reducing criminal***  
4     ***activity in the county and adjacent areas. The county shall establish***  
5     ***a coordinating and advisory council to prioritize the use of the***  
6     ***funds. Membership shall include city officials, local law***  
7     ***enforcement, and community-based organizations.***

8     ***SEC. 4. The sum of four million dollars (\$4,000,000) is hereby***  
9     ***appropriated to the City of Selma for the construction of a new***  
10    ***police department facility.***